

CERTIFICATE OF ELECTRONIC TRANSMISSION

I hereby certify that this correspondence for Application No. 10/754,011 is being electronically transmitted to Technology Center 2167 via EFS-WEB, on July 27, 2009.

/Scott A. Stinebruner/

Scott A. Stinebruner, Reg. No. 38,323

July 27, 2009

Date

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Day et al. Art Unit: 2167  
Application No.: 10/754,011 Examiner: Kimberly M. Lovel  
Filed: January 8, 2004  
For: METHOD APPLYING TRANSITIVE CLOSURE TO GROUP BY AND ORDER BY CLAUSES

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM  
THE PRIMARY EXAMINER TO THE BOARD OF APPEALS**

Applicant hereby appeals to the Board of Appeals from the decision of the Primary Examiner mailed April 27, 2009 finally rejecting claims 1, 3-5, 7-10, 13, 15-19 and 24-28.

The item(s) checked below are appropriate:

1.    Applicant hereby petitions for a    month extension of time.  
   Check attached for the sum of \$           .  
   Please charge the sum of \$            to Credit Card per the attached Electronic Fee Sheet.  
   Please apply extension of time fee to Deposit Account No. 23-3000.
2.   X   Appeal Fee:   X   Other than a small entity Fee: \$ 540.00  
                                 Small Entity Status previously Requested and is still proper Fee: \$             
                                 Small Entity Status Requested Fee: \$
3.   X   Payment:                                  Check attached for the sum of \$           .  
                                   X   Please charge the sum of \$ 540.00 to Credit Card per the attached Electronic Fee Sheet.  
                                 Please charge the sum of \$            to Deposit Account 23-3000.
4.   X   Fee Deficiencies: If any other fees or extension of time is needed to complete this transaction or if a credit is due, please apply them to Deposit Account No. 23-3000.

Respectfully submitted,

Wood, Herron & Evans LLP  
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441 Vine Street  
Cincinnati, Ohio 45202  
Telephone: (513) 241-2324  
Facsimile: (513) 241-6234

By: /Scott A. Stinebruner/  
Scott A. Stinebruner  
Reg. No. 38,323

Date: July 27, 2009